

Incoming 2010



125857

DATE OF AMENDMENT:
17DEC2009

CREDIT NUMBER: 1
ISSUED ON : 19NOV2004

BENEFICIARY:
STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING
(CONTINUED BELOW)

APPLICANT:
GRAYMONT WESTERN US INC.
3939 SOUTH 700 EAST SUITE 301
SALT LAKE CITY, UT 84107

ADVISING BANK:

DC AMOUNT: USD 3,885,792.00

THIS AMENDMENT (NO. 011) FORMS
AN INTEGRAL PART OF THE ABOVE
MENTIONED DOCUMENTARY CREDIT AND
MUST BE ATTACHED THERETO.

INCREASE DC AMOUNT BY USD 916,618.00
TO A NEW AMOUNT OF USD 3,885,792.00
USD THREE MILLION EIGHT HUNDRED AND
EIGHTY FIVE THOUSAND SEVEN HUNDRED
NINETY TWO.00 ONLY

AMEND ADDITIONAL CONDITIONS AS FOLLOWS:

INSERT:

ALL OTHER TERMS OF THE CREDIT REMAIN UNCHANGED

THIS AMENDMENT CONSISTS OF 1 PAGES


AUTHORIZED SIGNER

V011.01-1


AUTHORIZED SIGNER

RECEIVED

DEC 21 2009

DIV. OF OIL, GAS & MINING

0002

STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

MODIFICATION OF ATTACHMENT A
TO THE
RECLAMATION CONTRACT

RECEIVED
JAN 06 2010

Name of Operator: Graymont Western US Inc.Permit Number: M0270006Mine Name: Cricket MountainPhone Number: 801-262-9342

Per the executed reclamation contract, the surety agreement for reclamation obligation is included as Attachment A to the reclamation contract as follows:

Check the boxes that apply to this form:

Surety: ☐ Decrease
☒ Increase
☐ Replacement

Reason: ☒ Amendment to NOI
☐ Cancellation/ Termination of surety
☐ Escalation
☐ Partial Release of surety
☐ Other

Explain: \$916,618.00 additional surety was required for the amendment of the NOI.

Surety Dollar Amount Associated With This Action: \$916,618.00

Surety Aggregate Amount: \$3,885,792.00

Included in this modification (surety must be attached)

Instrument(s):

<input type="checkbox"/> Corporate Surety	<input type="checkbox"/> Rider
<input checked="" type="checkbox"/> LOC Letter of Credit	<input checked="" type="checkbox"/> Amendment
<input type="checkbox"/> CD Certificate of deposit	<input type="checkbox"/> Addendum
<input type="checkbox"/> Cash	<input type="checkbox"/> Other

Explain: LOC#
\$916,618.00

increasing surety by

Other surety not affected by this modification will remain part of Attachment A and labeled as such.

This Modification will be effective as of the last date signed below

Michael R. Brown MICHAEL R. BROWN VP Env Affairs
Authorized Officer Signature Printed Title

1/04/10
Date

John R. Baza
Division Director John R. Baza
Utah Division of Oil, Gas and Mining

1/12/10
Date

FACT SHEET

RECEIVED

JAN 06 2010

DIV. OF OIL, GAS & MINING

Commodity: Limestone

Mine Name: Cricket Mountain

Permit Number: M/027/006

County: Millard

Disturbed Acres: 449.4 (as of end of 2008)

Operator Name: Graymont Western US Inc.

Operator address: 3950 S 700 E, Suite 301, Salt Lake City, UT 84107

Operator telephone: 801-262-3942

Operator fax: 801-262-9396

Operator email: rrobison@graymont.com

Contact: Robert Robison

Surety Type: LOC

Held by (Bank/BLM): HSBC

Surety Amount: \$3,885,792.00

Surety Account Number:

Escalation Year: 2014

Tax ID or Social Security (for cash only): n/a

Surface owner: Fee and State of Utah

Mineral owner: Fee and State of Utah

UTU number: UTU-070556

Acres: 1702.7 acres permitted